

**ENTERED**

November 08, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

BRIAN SKOLNIK,

Petitioner,

v.

BRYAN COLLIER, *et al.*,

Respondents.

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CIVIL ACTION NO. 2:19-CV-163

**ORDER ADOPTING MEMORANDUM & RECOMMENDATION**

Before the Court is Magistrate Judge Jason B. Libby's Memorandum and Recommendation (M&R), entered on October 9, 2019. (D.E. 11). The M&R recommends that the Court grant Respondent's motion for summary judgment (D.E. 8) and dismiss this action. (D.E. 11, p. 1, 9).

The parties were provided proper notice of, and the opportunity to object to, the Magistrate Judge's M&R. *See* 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b); General Order No. 2002-13. No timely objection has been filed. When no timely objection has been filed, the district court need only determine whether the magistrate judge's memorandum and recommendation is clearly erroneous or contrary to law. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (per curiam); *Powell v. Litton Loan Servicing, LP*, No. CIV. A. H-14-2700, 2015 WL 3823141, at \*1 (S.D. Tex. June 18, 2015).

Having carefully reviewed the proposed findings and conclusions of the Magistrate Judge, the filings of the parties, the record, and the applicable law, and finding

that the M&R is not clearly erroneous or contrary to law, the Court **ADOPTS** the M&R in its entirety. (D.E. 11). Accordingly, Respondent's motion for summary judgment is **GRANTED** (D.E. 8), the above-styled cause is **DISMISSED**, and the Clerk of Court is **ORDERED** to administratively close the case. In the event that Petitioner seeks a certificate of appealability, the request is **DENIED**.

SIGNED and ORDERED this 3<sup>rd</sup> day of November 2019.



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DAVID S. MORALES  
UNITED STATES DISTRICT JUDGE